

Senate Bill No. 1762

CHAPTER 61

An act to amend Section 830.1 of the Penal Code, relating to peace officers.

[Approved by Governor June 30, 2000. Filed with
Secretary of State July 3, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1762, Alpert. Deputy sheriffs: San Diego County.

Existing law defines specified powers, rights, duties, and training requirements for peace officers, and provides that any deputy sheriff, employed in that capacity by a county, is a peace officer whose authority extends to any place in the state with regard to offenses committed within his or her home jurisdiction, and any offense committed in his or her presence where there is immediate danger to person or property or the escape of the perpetrator, or where there is probable cause to believe these situations exist. Existing law also provides that a deputy sheriff of a county of the first class who is assigned to perform duties relating to specified custodial assignments is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when directed to perform other law enforcement duties during a local state of emergency.

This bill would provide that this latter provision is applicable to deputy sheriffs employed by San Diego County.

The people of the State of California do enact as follows:

SECTION 1. Section 830.1 of the Penal Code is amended to read:

830.1. (a) Any sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county, any chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency which performs police functions, any police officer, employed in that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency, of a city, any chief of police, or police officer of a district (including police officers of the San Diego Unified Port District Harbor Police) authorized by statute to maintain a police department, any marshal or deputy marshal of a municipal court, any port warden or special officer of the Harbor Department of the City of Los Angeles, or any inspector or investigator employed in that capacity in the office of a

district attorney, is a peace officer. The authority of these peace officers extends to any place in the state, as follows:

(1) As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs the peace officer.

(2) Where the peace officer has the prior consent of the chief of police or chief, director, or chief executive officer of a consolidated municipal public safety agency, or person authorized by him or her to give consent, if the place is within a city or of the sheriff, or person authorized by him or her to give consent, if the place is within a county.

(3) As to any public offense committed or which there is probable cause to believe has been committed in the peace officer's presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of the offense.

(b) Special agents and Attorney General investigators of the Department of Justice are peace officers, and those assistant chiefs, deputy chiefs, chiefs, deputy directors, and division directors designated as peace officers by the Attorney General are peace officers. The authority of these peace officers extends to any place in the state where a public offense has been committed or where there is probable cause to believe one has been committed.

(c) Any deputy sheriff of a county of the first class, and any deputy sheriff of the County of San Diego, who is employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, including the custody, care, supervision, security, movement, and transportation of inmates, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her respective employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when performing other law enforcement duties directed by his or her employing agency during a local state-of-emergency.

